## THE BROOKLYN INQUIRY.

End of the Plaintiff's Testimony.

Tracy to Open for the De-

KATE CAREY RECALLED.

She Admits Being Intoxicated at Times.

CURIOUS CROSS-EXAMINATION

Great Surprise at the Abrupt Ending of the Cuse for the Complainant.

Yesterday, after the cross-examination of Mrs. Moulton and Catharine Carey, the counsel for Theodore Tilton announced that the case was

This indicates that any further testimony on that side will be saved for rebuttal. It is supposed that Florence Tilton, Mr. Carpenter and a dozen other witnesses are thus kept in abegance. The sudden closing of the plaintiff's case took the defence by surprise and Mr. Tracy was not ready to go on with his opening speech for the defence, which, it is thought, will take up three days. He will open to-day. Mr. Beecher is ex pected to be on the stand this week or next.

A long string of witnesses will be addited to show that Moulton for a long period asserted Mr. Beecher's inpocence; that Mrs. Moulton signified the same and that Tilton never charged adultery until a late day in his discussion with Mr. Beecher.

Yesterday the only noveities in Court were Edward Beccher's family, and a well known spiritua or sleight-of-hand medium, Rev. Dr. E. H. Lowery, who is now conducting a revival meeting at Hed-4tng Methodist Episconal church. Jersey City, sat among Mr. Tilton's counsel. Dr. Talmage among the press reporters. Mrs. Moulton was freesed the same as last Friday -- a hat of dark, nch brown, with a waite rose among buds behind it and broad ribbons of the same color; gold medallion eardrops, a dark green silk with flounces, a plack sick basque and lace shawl, lavender kids and lace collar and cuds. She had a large fan and gave her testimony with coolness and without any superfluity of words.

MRS. MOULTON'S ACQUAINTANCES. Mr. Evarts dropped Mrs. Moniton at haif-past

twelve, after inquiring of her chiefly about the Woodhull interviews and about what she said to a Mrs. Dennis of Newport. Mrs. Moulton snowed a moment's petulance at the mention of Mrs. Dennis' name, recognizing a confidential acquaintance of last summer during the height of the scandal.

Mr. Evarts' cross-examination had been stera and piercing, as far as manner was concerned, and the witness had met al- questi as with quiet, monosyllapic responses. She had neither temper nor obstinacy, and her voice was clear and flexible, as if the story of a school girl was being told in open school session. Judge Fullerton laised, in the redirect, the

curious episode of Mrs. Moulton kissing Beecher.

Novody could mistake the spirit of this lady at the time from her statement," said the Judge. MR. BEECHER'S APPEARANCE,

Here Mr. Beecher looked dissatisfiedly at the Judge and fell to reading a book about the trial. Mr. Beecher wore yesterday two splotches of bright red on each cheek, one under the eye, the other at the top of the cheekbone. His hair was combed down woman fashion, and his chin and profile looked to be thinner and more pointed than previously, and more comporting with his years.

Mrs. Beecher looked weary and without interest in the proceedings, and sat under a headdress of emproidered wool, black and blue in color. In this dress she looks to have a smaller head than In place of the Beecher boys the defendant and

wife were accompanied by Rev. Edward Beecher, wife and daughter, good natured auditors.

An important point in Mrs. Moulton's testimony was effected by Mr. Evarts asking how she came threaten Tilton if he should ever turn against ser busband. It was, at any rate, important in leveloping Mouiton's unpappy relation to both the principals in the trial.

FRANE MOULTON'S STATEMENTS. It appeared that at one period, during the arged by his wife and all his business friends not

to make a statement in advance of Mr. Beecher. They prevailed, and he put in the statement which Mr. Beecher admitted to be "a perfectly honorable But Tilton felt that this statement left him out in the cold, and he proceeded to berate frank

Moniton. At this Mrs. Moniton took the leadership of her family, stigmatized Tilton, and told him to beware, or he should never enter the house again. wife and mother was trying to keep her

husband out of the vast and nauseous scandal. "I GIVE THE OLD MAN ANOTHER CHANCE." "

This epitomized Mrs. Moulton's argument with Prank Moulton to put in a brief, unimportant and evasive statement pelore the committee. Mr. Evarts tried noisily to stave off the sound of the snewer to which he had already excented, but the reply was heard all over the court, and a roar of laughter followed, which showed that another gay word had been added to the long romanut.

While Mrs. Moniton was yet on the steps of the witness stand, about to step down. Mr. Evarts arose and suggested that Kate Carey would be brought up for re-cross-examination. Almost at the same instant, embarrassed only by civilities to the retiring Mrs. Moulton, Mr. Fullerton announced

THE PLAINTIPP RESTED HIS CASE. Mr. Evarts insisted that he had made his point in time to save the witness as the plaintid's, and act his own. This was a sharp piece of work, if it and panned out anything, as it deprived the plainaffol a recall. The woman, towever, minutely examined as to all she had said and done for years past. made a stout, positive withess and successively compated the imputation of intemperance. Mr. Shearman stood up ever and anen at Mr. Evaris shoulder to prompt him on this important subject, but the woman made short work with the lawver's notes. Some of her alteged employers she never heard of; others had broken up housekeeping, so that she could not have been discharged, &c. How ever, at last the examining lawyer came to a house in Willow street, kept by a Mr. Heinciens, and Kate was asked why she left there.

"TOXICATED!" BEPLIED KATE. daugtiess as Betsy Trot, and the court room fell into a roar, while Kale never smiled.

When asked about a certain lodging nouse and if she was sent away by the proprietor for intoxication she answered, with a hearty, convivial in-

No. sir; she could drink as much as I could."

The court roared again.
On another occasion, also, Kate had been turned away in Irving place for "'toxicate." Asked with all the power of Mr. Evarts on a charge if it was

not in-tox-1-cz-tion, tramphantly rounded of, the woman replied :-"No, air; 'toxicate. It was nothing but 'toxi-

ente." Catharine, superficially regarded, is a sharonosed, pock-marked willow, with black eyes, well retired; a look of destiny always to be poor but plucky; a compative upper lip and a deep, flattish Except her pronunciation she is of fair intelligence, and does not look like a hard drinker. Kate said that her only husband's name was Joan Smith, and she was married in Mancaester.

England, nine months before coming to America. She arrived, she said, "at the time of Burdeli's murder by Mrs. Cubningham." Smith had died of the yaller fever," and his relict had gone alter nately by the name of Kate Carey and Kate Smith. Mr. Evarts, seeking to entrap the witness on her name, was very much surprised to find that she had registered as Kate Carey Smith.

BEFCHER BOWS TO MRS. MOULTON. Mrs. Moniton's cross-examination was concluded by Mr. Evarts in a very lew minutes, and as she descended from the stand her counsel asked the Judge if she was excused. The Judge said "Yes, very respectfully.

Mrs. Moulton, accompanied by her father-in-law. Severn D. Moulton, and by her uncle, Jeremiah P. Robinson, started down the middle of the court room, the lawyers and others who were in the way rising to facilitate the passage of the party.

it so happened that Mr. Beecher's chair was slightly in this course. He and his wife both rose, and, as the eider Robinson passed first, he bowed to him, both Mr. Beecher's arms being down and his manner that of a profound conge, yet a little emparrassed. Mr. Robinson, wno is a large, rubicund, smiling man, always half way between complaisantry and laughter, returned the bow, a little surprised.

Then, Mrs. Moulton passing next, Mr. Beecner towed to her still lower and with deeper color. She half-courtesied by, with a look of timidity. Mr. Beecher then bowed to the elder Moulton,

who marched past like a grenadier, looking his solidest at the Plymouth pastor, and giving no salute of response that could be seen. BEECHER TO J. P. ROBINSON.

The following is the revival of the singular scene of last Friday as told in the Brooklyn prints, and it perhaps explains the above :-Immediately after adjournment on Friday Mr. Beecher approached Mr. Robinson and, taking him by the hand, said, in a tone loud enough to be heard by General Tracy:-"What she says has foundation in truth, but, in

Mr. Robinson turned from Mr. Beecher and said

to General Tracy:"I am the last man to whom Beecher should have said that, for I know Mrs. Moniton's story is true; for my niece told me the circumstances within twenty-jour bours after it occurred,

exactly as she has sworn to it now." General Tracy said to Mr. Robinson, "Mr. Beecher is excited, and he speaks hastly; but it was bad judgment-damnable judgment,"

was bad judgment—damnable judgment,"

After the jury had taken their sents Mr. Evarts resumed the cross-examination of Mrs. Moulton. Witness stated:—I do not destinctly remember bringing Mrs. Woodhull to my nouse four times; I do not remember oringing her to my house on two occasion you refer to; I remember oringing her to my house on two occasions; I do not recoilect the nour or the day when I got back; I only remember making a short call on Mrs. Woolhul; these visits were all made in a carriage; I did not go last year; I went the year of the publication of the scandar; all my visits were in the same year; I have a pretty good memory; I have did not go last year; I went the year of the same year; I have a pretty good memory; I have told you all I can recollect; I only remember making three visits; I do not know that getting a hackney coach in the night time would impress itself on my mind very firminy; I remember bringing Mrs. Woodhull twice, but did not take nerback; I do not remember making any other errends on this business; Mr. George C. Robinson is my uncle and one of the firm of Woodruff & Robinson; he is not the gentleman who was examined as a witness—not Jeremiah Robinson; they are both my uncles; I had a conversation with George C. Robinson at the beginning of the trouble, in 1871; I do not know in what season of the year it took place; I had an interview with Mrs. Tilton, not at the request of my ausband or Wr. Tilton; I think I repeated the conversation we had to Mr. Moulton.

Q. In this conversation with Mr. Tilton in which you called him a viniam and said if he turned against Frank, even by a look—

The Jouge—I don't think the word villain was used.

Mr. Evarts—I will read the record.

Mr. Evarts—I will read the record.

Ine Judge—The answer is something of that

kind.

5r. Evarts—"Q. Do you remember an interview you had with Mr. Titton at your house in which you told him he was a vilialn, &c.? A. I think I had an interview and told him something like that." Did you not tell him that? A. I think I

raat." Did you not tell him that? A. I think I did.

Mr. Everts—"A. I said if he was unkind to Frank and turned upon him even by a look he must never come into our house again."

The Judge—It is not material.

Witness continued—I remember it was in August this conversation took place in reference to Mr. Moulton not making a statement before the committee; a snort statement was made to give the committee in place of the long statement; as I have said, to give Mr. Beecher another chance to state his case fairly; Mr. Thiton did not know of that when he came home from the country; he came into our house and said, "Frank, you have broken your saith; you have promised to give to the committee your statement and you have failed to do it;" I listened to nim, and I did not like the manner in which he reproved Frank not like the manner in which he reproved Frank or having laised to make a statement; I was angry or having inhed to make a statement; I was anary and reproved him severely, but my exact language I do not remember; I lorget the day of the month. I went to Narragabsett, but it was some time in July; I think it must have been the last part of July; I remained there about six weeks; I was sick nearly all the time I was there; I remember my subsband coming inere, but I do not recollect the date of his arrival; I remember Mrs. Dennis at Newbort; I think I saw her in 1873 and 1874; I never told ner that Beecher was an innocent and good man; I am saic I hever told are any such thing; I never told anybody that he was an innocent man.

Told anybody that he was an innocent man.

Mr. Fullerron then commenced the redirect examination, and winess stated:—When I told Mr. Robinson the story he was very much excited about it; Mr. Beecher paid frequent visits to my husband after that; Mr. George C. Robinson is a member of Flymouth cauren; he had been a deacon; my visits to Mrs. Woodhull were made after the threats had been published in the daily papers; the last time that Mrs. Woodhull came to our house she wanted some money; Mr. Moutton was sick at the time, and he told her he would not assist her in any way; that was after the publication of the story; she only remained a short time; Mr. Beecher was at dinner at our house on one occasion when Mrs. Woodhull was present; it was a ter Mrs. Woodhull may published her story; I do occasion when Mrs. Woodhull was present; it was atter Mrs. Woodhull man published her story; I do not remember where Mr. Beecher and Mrs. Woodhull first met; I tunk I was told last July that! was to be a witness in this case; I think Mr. Moulton told me first about it; hersaid that with my knowledge of the case, and with the facts from Mr. Beecher himself, I should be called as a witness

ness. Q. You have been asked with reference to an occasion when you kissed Mr. Beecher on the Q. You have been asked with reference to an occasion when you kissed Mr. Beecher on the forenead, and you stated that you leaned over and kissed him on the orenead, and that was the only time you kissed him; I wish you to state under what circumstances that was done.

Mr. Evaris—She has already stated it.
Mr. Falierion—I wish her to state it now.
A. As I have told you, Mr. Beecher came to the house suffering greatly, very despondent and gloomy, in his lear that Mr. Thion was about to publish his letter of approach, and it so, he let that the truit would come out, and he let that he could not live under it; and he came to see me and have a long talk with me.

Mr. Fullerton—You needs't repeat the whole conversation; I want to know the condition of his mind in general terms.

ind in general terms. Mr. Fullerton—What was the condition of Mr.

I said to Mr. Moulton—
Mr. Evarus—I beg your pardon, madame; we don't wish to hear what you said to Mr. Moulton.
The Judge—Strike that out.
Mr. Folietton—How did you feel with reference to wrist you coid your dusband? A. I self that I had been in the presence of death; as if I had been to

Q. Now, I want to know the circumstances un-

a mneral.

Q. Now, I want to know the circumstances under which you knssed him on the forenead? A. He was crying and I was crying at the time I kissed him on the forenead? A. He was crying and I was crying at the time I kissed him on the forenead; in ever expected to see aim again, except at least for a few moments, as he told me he would call the next day; we had a long interview; Mr. Beecher had suifered greatly; I cannot describe to you any more accurately than I have done already.

Mr. Fullerton—We have the evidence here. Did you expect at that time that he would take his life? A. I certainly did.

Q. You have occu asked whether you did not say to him at that time that if ever there was a good man you believed he was one; you did not say to him at that time that if ever there was a good man you believed he was one; you did not state what you did say at that time; now do you recorded? A. I tried to dissuade him no m suicide: I said to him, "You nave committed as in, but you say you have repented and will be lorgiven, and I stin celeve there is much good in you, and I think it is your duty to comess your crime and do some good in the world yet."

Q. What was your object in doing what you did and said to Mr. Beecher on that day?

Mr. Evartis—I object to that, We have had three times what she said and did.

Mr. Fullerton—We will judge by her motives also, but it is certainly project for this hindy to state what her object and motive was on that day upon that interview with her pastor.

The Judge—I think the object and motives to be quite apparent, but it is not a proper question this is your withess.

Mr. Fullerton—They have attempted to place this lady in a laise attitude, although they have failed very signally miled. Yet it is proper for me to follow that up and show not only the circumstances under which this act of hers was committed, but the object which has act of hers was committed, but the object which has act of hers was com-

minitting it.
The Judge—I don't think it is proper.
The Judge—I don't think it is proper. Mr. Futherton-Well, it you think it is improper we will not have it.

Q. You have been asked also, Mrs. Moulton, whether you did not, upon one occasion, in the presence of your nawband, put your names upon his shoulder and nock and say to him, "Take care of this good man," speaking in Fereinde to Mr. Beechef. Do you received any such interview,

and if so, state what occurred? A. I remember on one Friday evening Mr. Beecher came into our house; he was very much de ressed and suffering greatry, and Frank called me into the room with reference to some matter—Liorget what it was—out I remember putting my name on Mr. Beecher's shoulder, and remember saying to Frank, "Take care of int. man—of this good man."

Q. You believed at that time—iid you not think Mr. Beecher had repeated? A. I believe so; yes, sir. Q. You thought he had truly repented? A. Yes,

Q. You thought he had truly repented? A. Yes, sir.

Mr. Evarts—It is rather a leading question.
Q. One other question I ougast to say you that I omitted, Mrs. Moulton; did you relate to your ausband the interview which you had with Mr. Beecher—the long interview I refer to—three or lour hours? A. I did; yes, sir.
Q. Did you state to him that you had kissed Mr. Beecher on the lorchead? A. I did.
Q. And when did you make that statement to your husband? A. On the evening when he returned; when he came back.
Q. Your attention has also been called to an interview with Mr. Haliday. Do you recollect when that took place? A. I don't remember; I remember the conversation with Mr. Haliday.
Q. Do you recollect what that co. versation was?
A. I think i said to Mr. Haliday, "I wonder that Mrs. Woodbull should have used my name," but I said nothing to Mr. Haliday, "I wonder that Mrs. Woodbull should have used my name," but I said nothing to Mr. Haliday, "I wonder that Mrs. Woodbull should have used my name," but I said nothing to Mr. Haliday, "I wonder that Mrs. Woodbull should have used my name," but I said nothing to Mr. Haliday, "I wonder that Mrs. Woodbull should have used my name," but I said nothing to Mr. Haliday about Mr. Beecher's guitt or innocence.

said nothing to Mr. Hailiday about Mr. Beecher's guit or muocence.

Q. Was that conversation after the publication of the Woedhuit story? A. Yes, sir.

Q. Wel, what questions did Mr. Halliday put to you at that time? A. I don't remember what the questions were: I only remember that I avoided having any conversation with Mr. Halliday with reserence to Mr. Beecher.

Q. Did you neel at aberty to tell him what you knew in regard to the matter? A. No, sir; I did not.

Q. Now, when did Mr. Titton commence taking his means at your nouse? A. He used to visit us frequently in Chuton street.

Q. When did ac take his means there with any degree of regularity with reference to December, 1870; was it before or after? A. It was before; it was in 1869, I tiniak.

Q. 1869? A. I think so, 1869 and in 1870; he has been so much at our house I don't remember the exact time he begin to come.

Q. Did he commence to come with any degree of regularity until after his domestic difficulty? A. No, sir.

Then, can you state whether it was before or Q. Then, can you state was after.
after July, 1870? A. It was after.
Q. Now, day he give any reason to you why he

Q. Now, did he give any reason to you way ne ook his means there? Mr. Evarts.—That I object to. Mr. Futierrou—Why, sir, it is a declaration ac-companying an act. Is not that a very familiar The Judge—It would be if it had a specific act in

Mr. Fullerton-Well, the act is, taking his meals at that house.

The Judge—Taking his meals is very general. It you can single out any one occasion, and show that it is a part of that occasion, perhaps you can Mr. Fulierton-Your Honor will remember that this habit of his grew up after the domestic difficulty, and the date of that was July 3, 1870. The have given that in synthese for a purpose, an they will use it hereafter before this case is close.

Now, ought it not to be competent for me to show what Mr. Tilton said at the time, as characterizing the act.

The Judge- What he said on any specific occasion The Judge— What he said on any specific occasion might be admitted, but not generally.

Mr. Evaris—Your Honor will remember, perhaps, your ruling against Mr. Bell's evidence? We offered to show the act of Mr. Becener in calling Mr. Bell into consultation, and what he said to Mr. Bell. Your Hon or excluded it.

Mr. Fulle; ton—Eur Your Honor will recollect that the objection was twoold to that. First, it was a part of the evidence which they had no right to interject into our case. That was one of the

part to the evidence which they had no right to interject into our case. That was one of the grounds stated by myself.

The Judge—I think we can't take it.
Q. Do you reconcet when Mr. Tilton first came to your house and took his meals after this domestic difficulty, that he gave any reason for not taking them at home?

Mr. Evaris—I object to that.

The Judge—Excladed.

Mr. Fallerton—I think that was in harmony with the objection.

Mir. Falierton—I think that was in harmony with the objection.

Q. In one of the gentleman's questions put to you on Friday last he used the word treathery in asking you what you said with relevence to Mr. Hitton. Did you ever in any conversation with your anusand speak of Mr. Filton as treatherous or as likely to be treatherous toward your husband. A. No: I don't remember that I used the word treatherous to him.

Q. Now as to these meetings, these woman suffrage meetings at your house, to which your attention has been cailed, do you recollect to what extent, it any, Mrs. Thion participate in that movement A. I remember her inviting me to take some office in the association of it; I remember such has been invited to our house on one or two occasions; that Mrs. Stanton and Miss Anthony were there; that is all I remember.

Q. Did she meet the ladies that you have named, Mrs. Sranton and Miss Anthony, at your house? A. I think not.

O. Do you recollect the conversation with Mr.

I think not.
Q. Do you recollect the conversation with Mr.
McLean to watch your attention has been called ?

McLean fo which your attention has been called ?
A. Yes, sir.
Q. When was that conversation, Mrs. Moulton ?
A. I don't remember the time; he was waiting in our parior for Mr. Moulton.
Q. Were you acquainted with Mr. McLean ?
A. I think I have been introduced to him; I don't remember postayely; I think Mr. Moulton introduced me to him on that occasion.
Q. How long did ne remain for Mr. Moulton before he came in? A. Pernaps fifteen or twenty minutes. minutes.
Q. Did he interrogate you with regard to what you knew about the case? A. No; I don't remember that there was anything said about the case; he spoke of Mr. Beecher's portrait.
Q. Was anything said about the domestic dimensity, or about Mr. Beecher other than concerning

cuity, or about Mr. Beecher other than concerning his portrait? A. No. sir. Q. when did you make Miss Emily Faithful's acquaintance? A. I think in 1973; I forget how

long ago.
O. How long did she spend at your house? A. She stayed at our house six weeks.

Q. Do you know where she is now? A. In London.

don.
Q. Did you converse with her in regard to this case? A. Only in a general way.
Q. Now, give us the date if you please, when this short statement of your husband was the subject of conversation between him and Mr. Beecher? A. Q. That was in July, wasn't it? A. July, 1874;

Q. That was in July, wasn't it? A. July, 1874; you mean the last statement.
Q. he first statement that your husband prepared, to make in July? A. Yes, sir.
Q. And repeat it you please, what it was Mr. Beecher saud in reply to the question put by your husband? A. Mr. Moulton said to Mr. Beecher, "Taen, Mr. Beecher, you consider my statement an honorable one to make to the committee;" he said, "Yes, Frank, I consider it so, perfectly,"
Q. Did you see that statement? A. I don't remember that I saw it.
Q. Did they have it with them at the time of this conversation? A. Mr. Moulton and it; he read it to Mr. Beecher and to Mr. Dunning.
Q. You stated on your cross-examination that Mr. Litton said be wound take his case in court:

what else did he say in the same conversion A. I don't recollect what else he said upon that subject? A. He said he would take his case in court where he would be vindicated and could have justice.

Q. Well, what was he complaining of at the time? A. He was complaining of the interference

Q. Weil, what was he complaining of at the time? A. He was complaining of the interference of the committee.

Q. Now, what die he say on that subject? A. The injustice of the committee.

Q. What committee? A. The church committee.

Q. Do me say in what respect they had done him injustice? A. That it was a packed committee and he had not any chande or stating his case.

Q. Now, Mrs. Mauliton, you say you advised a short statement on one occasion? A. Yes, if.,

Q. On what occasion? A. That was at the time Mr. Mouiton had promised his statement to the church; there were a namber of gentlemen invited to meet Mr. Batter at our house, air, Klugsiey, Mr. Frank woodfulf and Mr. Nouton's father, and a number of other gentlemen were present; I also was present in the foom and I asked General Butter if the statement was prepared.

Q. You need not repeat that conversation, but why did you advise the short statement? A. Because I wanted to give Mr. Eccener another coance.

nance. Mr. Evaris objected and an argument between counsel lollowed. Finally
Mr. Franction assed: - What words did you employ at that interview as near as you recoilect?
A. I said, "Give the old man another enance."

ond laughter.)
unige Nellson-You had better wait until fo-morewith the something more exciting perps to-morrow.

L. Wien did you make Mrs. Dennis' acquaintcor A. I do not remember.

L. You know her' A. Yes, sir, I have known
rail my life. Q. Bo you remember seeing her at Newport every year or two? A. I visit Newport every sum-

Q. Was this case talked about! A. Oh. yes, sir. Q. Did you go into particulars about it? A. No,

d. Did you go into particulars about it? A. No, sir.

Q. Did you feel at liberty to communicate them to Mrs. Dennis of anybody else? A. No, sir. Mr. Finierton—That is all, Mrs. Moulton.

Mr. Funerton—That is all, Mrs. Moulton.

Mr. Evarts—Are you quite sure you talked with your husband on the evening of this day of the interview with Mr. Beecher? A. Yes, sir.

Q. What impression did it leave on your mind that you spake about it to him on the evening of this interview with Mr. Beecher? A. Because it caused me great sorrow, and made a very great impression on my minut; I really thought—

Q. Never mind what you thought, My question is, what makes you sure you told him that night?

A. Because It made that impression upon my minut.

mind.
Q. You can't be mistaken about that? A. No, sir.
Q. Do you remember the evening and you remember your husband's return that evening, do your A. Yes, sir.
Mr. Fuderton—li your Honor please, one of the jurors wishes to be excused for a moment. Out A. Yes, sir.

Mr. Fulletions—li your Honor please, one of the
mors wisnes to be excheed for a moment.

Mr. Evarte—You (addressing the wilness) were
lone with your majound west you toud him—
Mr. Fulletton—ar. Evarts, a jury has gone out.
Mr. Evarts—on! Excuse me.

After the juror returned Mr. Evarts said, "That's
it."

THE CASE FOR THE PLAINTIPP RESTED.

Here the plaintif, by his couuse, Mr. Fullerton, declared he rested.

Mr. Evarts—If Your Honor please, we have brought Mrs Kate Carey or Mrs. Kate Carey for further cross-examination. Mr. Fullerton—Wrat! For further cross-exam-

nation?

Mr. Evarts—Yes, for further cross-examination.

The Judg:—Mrs. Mouiton, you may retire.

Mrs. A oution left the stand and passed from the com. Mr. Be cher ri-ing from his seat and lowing of the rand her party—Mr. Robinson, Mr. Mouiton—as they p issed kin.

Mr. Evarts—Yes, sir; yes, sir; or cross-examination.

Mr. Beach—Your Honor, I raise the question as other right to tro-s-examine per now. Mr. Evarts—We recall ner on recross-examina-ion as a part of your case. Mr. Beach—What' as a part of our case. We

Mr. Evarus—I gave them notice I was going to Mr. Beach—There is no necessity for any argument on the point. We shall not object to their cross-examining her for that or any other pur-

pose—
(Mr. Beach's urther remarks were unheard.)
Mr. Evarts—We have a right to do it now.
Mr. Beach—We have submitted our case. If he
wishes to urther cross-examine the witness—
Mr. Evarts—I proposed my cross-examination Mr. Beach -He nad no right to interfere with our

Mr. Beach—He nad no right to interfere with our case while we were conducting it, the — The Judge—Cah the witness, and we will see — Mr. Evarts—As soon as their witness was through we had this one ready to bring on. The Judge—Cal the witness, and we will see — The witness Kate Carey here made her appearance, and the Court fold her to remember she was sworn the other day and that it would not be necessary to readminister the oath.

INVESTIBATING KATE CAREY.

Mr. Evaris—I think you said, Madam, you were married or had been married?

Witness—I am a widow lady, sir; can't tell my hasoand's mame; saw him fast three months before my babe was boin; was married in Manchester, England; cannot say the time; I was married nine months before I cane to this country; I came at the time of the Burdell murder by Mrs. Cunting dam.

KATE SMITH AND KATE CAREY.

Q. When was this baby benn? This is the babe, I understand you to mean, with the milk for which you went to Mrs. Thiton's A. I could not state what time the baby was born; it was born in the summer.

Q. You mean the breast of whose milk you went

Q. You mean the breast of whose milk you went

O. You mean the breast of whose milk you went to Mrs. Thit b's? A. Yes.

Q. Was that your Brst child? A. It was not, sir.

Q. How happened it that you don't know when your husoand, John Smith, died? A. I don't know; I heard he died with yellow lever; he was not a very good help to me; he went away before the babe was born.

Q. When you have lived in these places you have snoken of, have you ived there by the name of kate Carey? A. Kate Carey and Kate Smithboth names; I went always as a widow woman.

Q. You mean the two names at the same time?

A. I went as Kate Smith most of the places; I told the servant girs my name was Carey.

Q. You went sometimes by name of Kate Smith and sometimes by name of Kate Carey? A. I always went as Smith, sir.

Discharged for intoxication.

Q. I ask you it you lived with Mrs. Heindricks in Chinton street? A. I don't remember.

Q. Did you live with a German lamily? A. Oh, yes, sir, I did; their ousness was the lancy business; I believe it was over in Maiden lane.

Q. Was their name Heindricks? A. I believe it was; I am not positive.

O. How long ond you live there? A. I think it I am not positive. How long old you live there? A. I think it was a monta, sir.
Q. Do you remember why you was discharged from that place? A. Yes; lutoxicated. (Laugu-

Q. Did you live in a lodging house kept by Eliza Kyes or Keese, at No. 271 Pacific street? A. No.

kyes or Keese, at No. 271 Pacine street? A. No. sir.

Q. A servants' boarding house, is it not, or don't you know? A. I know nothing of the person; I never visited there.

Q. Never boarded there? A. No, sir.

Q. Don't you know Mrs. Keese lived there; it was a boarding house? A. Yes, sir, I did; lacing Mr. Moore's grocery store.

Q. You remember now? A. Yes, sir.

Q. Tont is facing Moore's grocery store? A. Corner of Pacific and Smith streets.

Q. You do remember, then? A. I do remember.

Q. How long did you remain there? A. Not over a week at a time; when I got service I went away.

away.
Q. Do you remember being sent away from the lodging house for drunkenness? A. Not at all, sir, never; for she was able to drink as much as I

Well, perhaps she could d ink her share? A. Well, she could drink her share it would pay for it, lik: all longing women.

Q. Now, madame, I understand you to have said before that you had not been living out for a year—something of that kind? A. Not to say steady in a place, I don't thank; I have been poorly about that length of time.

Q. What, boarding? A. Poorly; I have not been very well since.

very well since.
Q. Now, about Motley's; do you remember being discharged from Motley's? A. I do, sir.
Q. Wnat was that for? A. Toxicated.
Q. Anything else? A Nothing else, as I know Wasn't it with regard to lying also that you were sent away from there? A. No, sir.
Q. Nothing of the kind? A. Nothing of the kind.
sir.

Q. Nothing but intoxication? A. Nothing but 'toxication; I told her I was not tight and I was NEVER HEARD TALE NOR TIDINGS.
Q. Do you know anything about a Dr. Fullgraef?

Q. Do you know anything about a Dr. Puligraer.
A. No, sir.
Q. Never have seen him or his sign or being there? A. No, sir; no, sir.
Q. Among the doctors that have treated you at the hospital is Dr. Brien one of them? A. No, sir.
Mr. Fusierton—We have nothing to ask, sir.
The time at this point being within ten minutes of the usual hour for adjournment there was a consultation between the defendant's counsel, after which Mr. Evarts conferred with the Judge privately, and the court was adjourned at the usual time.

APTER RECESS

AFTER RECESS beaded overdress and gray robe. Mr. Beecher sat reading a magazine. It was generally said by enmor that Mr. Evarts, at the termination of the recess, meant to move to dismiss the case as an

exhibition of the confidence of the defendant.

Frank Moulton's absence from the court while his wife was testilying was generally thought to be inspired by wise counsel. Had he been present she might have appeared under duress. His absence further showed that, having testified, he withdrew from the court room and maintained no partisan position toward the matter. Mr. Pryor to generally the adviser on the eliquette of this

case. Mr. Beach is the deciding mind. After the final adjournment, at ten minutes past two vesterday, Mr. and Mrs. Beecher, arm in arm, walked out to the middle of Fulton avenue and stood on a bank of ice waiting for a car. About one thousand people watched them as the bale old man stood there in his worn mantle, sloucned

bat and Arctic shoes. It is by no means expected that the plaintif will bring no further witnesses. His lawyers state that they consider that they have made their case as fully as by producing a great many people and to have their reserve testimony for the case in

Mr. Evarts, who spoke in a low tone of voice, addressed the Court, and said that counsel on his side had been led to auticipate that the examination of witnesses on the part of the plaintiff would have consumed the time up to tomorrow evening. Nevertheless it Was 10 the calculation of General Tracy that he might be called upon to-morrow to open the case to the jury for the defendant. He had ascertained mether it would be possible for General Tracy, suitably to me presentation of the case and for a proper consideration of it by the Court and jury go on this afternoon, and he loung that it would be quite out of his calculation to go on now. His learned irlends on the other side quite recognized this position of the matter. He, therefore, suggested the propriety of an adjournment until

to-morrow (this) morning. Mr. Beach, in a few brief remarks, concurred in the suggestion of Mr. Evarts, after which the Court adjourned till this morning, at eleven o'clock, when General Tracy will make the opening statement for the defence.

A CURIOUS BIT OF INTERVIEW.

It came to the ear of one of the HERALD Writers last Saturday that Bessie Turner, the mysterious witness reared by Mr. and Mrs. Tilton and sent to the West by Mr. Beecher or somebody to be schooled out of harm's way, was living at the house of Mrs. Purdy, No. 74 Hicks street, and that she had been taken there not from charity but from the persuasion of one of Mr. Bescher's church

The Herald writer proceeded to this house and found Mrs. Purdy to be a refined and quiet lady, whose husband was formerly a prominent man in the Clinton street Presoyterian church, but has been deceased for several years. The circum stances of Mrs. Purdy require her to let a part of ner nouse to boarders, and she had first seen Bessie furner about ten days prior to Saturday last. The lady of the house was given the name of one

Resule Turner had not been taken in from charity but from introduction, in the way and by the peron menuoned. "Yes," said Mrs. Purdy, "I declined to take the young woman at first, not hearing good accounts

this devastating scandal. The gentleman who represented Plymouth church asked me if my object scandal of the connection. To this," continued Mrs. Purdy, "I replied trat it might be a part of my objection, but as I kept boarders it was less that objection than the universal rumor that Bessie Turner was a disagreeable, bad-tempered, news-carrying person.

satisfaction with the gir,'s good benavior while in her dwelling, and had undoubtedly formed a

very pleasing opinion of her.
...Well, madame," said the Herald writer, "what compensation are you to receive for boarding Miss Turner? I have heard that you have a guarantee,

"That is tiue," answered Mrs. Purdy: "about as Mr. - has told you. I was told that at the close of the case I would be paid my bill upon the personal guarantee of the gentleman who brought Miss Turner. But that, while the case was trial, no money could pass on account of Miss furner, as it might be a subject for cross-exami

"Then you did not take in Miss Turner from charity merely?"

"Of course I expect to be paid for her board, but I am agreeably disappointed in her beyond all that."

with such a peculiar guest?" ANOTHER WITNESS.
"On, well!" exclaimed Mrs. Purdy, with a smile and hesitation. 'I suppose I should have been re lerred to in the scangal in any event. I have another boarder of prominence in the case."

be incidentally the subject of much reference

"Who is that?" "Well, a lady was brought here before this with trunks and apparel, and she has been with me

some time." "That is Mrs. Morse?"

"Yes. She is one of my boarders too."

Have they both been subpanaed?" "I believe so. Mrs. Morse, I know, expects to testify. Bessie Turner was once subpænaed, but we could not find out where the subpæna came from. She was supposnaed by Mr. Beecher's side

The reporter also learned that Mrs. Purdy was instructed not to give Miss Turner money, except in the way of car fare or a few pence for ordinary uses. The girl had been told by another Plymonth member-not the same wno made the arrangements for her-that her evidence was now worth very little to Mr. Beecher, as the case against him had amounted to nothing. She was advised to settle down unjetly and board somewine, and therefore, apparently come to Mrs. Purdy's house unaware that any arrangements had been made for her in advance and supposing that she was the subject of benevolence. The gentleman who sent her had not man who negotiated for her. This accounts for a recent newspaper interview describing Bessie as a neipless stray, without nome or sponsors, lodged

by charity. NOT TO BE INTERVIEWED. The HERALD writer sent his card to Miss Turner, and the servant returned, saying that sae rehim. To the name she sent answer that she was instructed not to see newspaper men during the

Mrs. Morse and Bessie Turner are thus in daily relations with each other and both expectant of testifying for the defence.

MILD WEATHER.

EFFECTS OF THE CHANGE UPON THE STREETS-DECREASE IN THE MORTALITY OF THE CITY-THE ICE RAPIDLY DISAPPEARING.

That nature delights in those contrasts which nable man to appreciate the happiness or misery of his condition has been demonstrated within the past few days, during which time we have passed from a temperature below freezing point, with all its attendant discomfort and suffering, through a ismal rain storm and into that etherial mildness which the poets and other innciful people have been wont to regard as the accompaniment of spring. The immediate effect has been to develop an almost lusufferable amount of slush, mud and dirt in the streets and avenues, which is, perhaps, the necessary result of the long con-tinued and severe cold weather and the unusual iail of snow which has characterized the winter. Broadway and some of the other more prominent avenues have, through the exertions of the Street Cleaning Bureau, been meet the sudden changes from a freezing to a thawing temperature, without any very disagreeable result. But outside of these, and in the narrow thoroughfares of the city, the heaped up show and ice which have been thrown from the sidethe railroad tracks, combined with the recent rain, have brought about a condition of affairs not only causing great annoyance but likely to become

detrimental to the public health. An agreeable effect of the recent change in temerature is found in the immediate decrease of mortality among those directly affected by cold and hunger. The statis ics furnished by the Board of Health snow that the average mortality among this class has been greater during the past winter than at any other time since 1865. The evil of crowding a large number of persons under one roof, and oftentimes in one room, naturally manifests itself to a greater extent in cold weather. There is, in this country, no law against the crowding of people either in tenement nouses, boarding houses or hotels, and in consequence there is developed what is known among the medical fraternity as "the crowding poison." which, it is turn, develops those diseases to which the system is peculiarly subject, and, gen-

which, in its turn, develops those diseases to which the system is peculiarly subject, and, generally, with latal effect. The number of the poorer classes which during the plat two days have crowded the streets in the vicinity of the large tenement houses show how eagerly they break away from the rooms whose poisonous atmosphere is so deleterious to them.

The ICE IN THE BIVERS.

Under the genna rays of the sun the floating ice which has so long encumbered our rivers is rapidly disalpearing. Daring yesierday considerable quantities came down the Hudson, but it was of that character that scarceiy affords any impediment even to a saling vessel. The East River was atmost clear for the greater part of the day. The ice in the Sound mount then Gate is rapidly going away, and vessels are beginning to come through. The steamers of the New Haven line are again running, but the saling craft are still dependent on the tug, though they will probably be able to make their own way very soon. The Long Branch steamboats resumed their trips yesterday for the first time in three weeks. The Ice extending from sandy Hook to South Amooy is rapidly weakening, and should a heavy rath set in or the present mind weather continue, it shirtly to be carried out to sea at any moment.

The STATEN ISLAND ICE ELOCKADE

a heavy rain set in or the present mind weather continue, it is likely to be carried out to sea at any moment.

THE STATEN ISLAND ICE BLOCKADE is now apparently presty nearly broken up, and the terry boats are running much move regularly than or some time past, b them the East and the North shores. The Kill von Kall is nearly clear of ice as are as Port Richmond, and the thaw of yesterday has weak med the feel is taffen is and Sound to such an extent that it is now becoming dangerous to cross on foot or on feeboats. On Monday some of the feeboats broke terough and several persons got a ducking. Many of the streets and crossings in Stapleton and vicinity, yesterday, were almost overflowed with water from the hims above, and in many places the village laborers were employed in cleaning the street guitters, so that the water could escape.

The SIGNAL OPPICE reports show that the thawing weather prevailed throughout the West south of the Ohio River. The temperature yesterday was above the freezing point in the Eastern and Middle States, the Ohio Valley and in the regions south of those sections. An area of freezing temperature appeared in the Northwest, preceded by a light rain or show.

SUICIDE BY SHOOTING.

Yesterday afternoon information was received at the Coroners' Omce, from the Twenty-first precinct, that Mr. R. Bidgotti, an Italian, fortyeight years of age, who fived at No. 1,600 Third avenue, had committed suicide, at the loot of avenue, had committed suicide, at the loot of Thirteeth street, East River, by shooting himself through the head with a pistol. It appears that Bidgotti was found by Officer Roberts lying between two piles of lumber with a pistol shot woons in the right temple, and a large revolver beside him. The widow of deceased was communicated with, and on ner arrival at Bellevue Hos ital was unage to state any cause which should lempt deceased to take his own life. The body was removed to the late residence of deceased, in Thira avenue, by permission of Goroner Eicka at, was win hood as inquest. Deceased Espita canadr and trust store. ot her friends as authority for the statement that

## RAPID TRANSIT.

Influx Upon the Legislature of Bills to Provide It.

SENATOR MOORE'S NEW BILL

It begins to look as if the Legislature will receive a multitude of bills, each of them de signed to clear the way to rapid transit. To-day there will probably be two bills introduced, on into the Assembly by Mr. L. Bradford Prince, and the other into the Senate by Senator Hugh Moore, who presented a bill several weeks ago to empower the corporation of this city to build a rapid transit railway. Beside these instruments there are several others in course of preparation. Mr. Roosevelt was nas a "little bull" in readiness, anticipates that the influx of wearisome bills, full of details, will so trouble the members of the lature that when he sends them his brief act they will throw all other conceptions aside. Hence he has determined to reserve his bill until he thinks everybody else's has been presented and referred to the Judiciary Committee.

The act which Mr. L. Bradford Prince will prob-

ably present to the Assembly to-day is understood to be intended to revise and amend all sections of the General Railroad act which make reference to the construction of railroads within cities. It to voluminous, and emoraces, it is said, provisions in regard to the almost infinite number of details that have connection with the construction of Senator Moore's bill, which is printed below.

differs slightly from the bill which he prepared several weeks ago. The previous instrument had reference to the building of a railway in the city only, and nence was open to the objection that if it were passed it would be declared unconstitution. The present bill, it may be seen, is meant to apply to every city in the State. It has been presented to the special committee of the Board of Aldermen, and that body has been asked to commend it in a report to the Common Council. Waether the request will be complied with or not remains to be seen. It is not yet known what the Aldermanic committee will say substantially in its report. Rumor announces, however, that, though the committee will not commend any bill now it existence with that purpose, it will report in lavor of the city being empowered to build the needed ranway. The Aldermante committee held an executive meeting yesterday afternoon, and will present its report to the Board to-morrow. The following is the Moore bull, which is to be introduced into the Senate:—

an executive meeting yesterday atternoon, and will present its report to the Board to-morrow. The following is the Moore bill, which is to be introduced into the Senate:

An act to confer upon the several cities of this State power to provide, lay out, construct and operate rapid transit roads within their respective cities. The people of the State of New York, represented in Senate and Assembly, do enact as follows:

Section I.—the Mayor, Aldermen and commonalty of each of any city of this shate be and they are hereby authorized to appoint three Commissioners—his shares some—to lay out, construct and operate a rapid transit road or roads upon, over or under any of the atreets of avenues of such city, within the limits of such city, at the expense of such city and as a public work, with the consent of the owners of one-half in Value of the property bounded on the street or highway upon which the same shall be constructed and operated; and in case the consent of such property owners cannot be obtained, the General Term of the supreme Court in the district in which it is proposed to be constructed shall upon application, appoint three Commissioners, who shall determine, after a hearing of aid persons interested whether such rapid transit road or roads ought to deconstructed coroperated, and heir determination; colorisme test of the whole the constructed and commissioners in the apparance respectively for one, two or three years, or many city of this state that the upon the ones in the apparance and apparance in a proint autother in his place for the read of said tommissioner is removed.

Sec 2—the Mayor, Aldermen, and Johnsonatty of each or any city of this state be and are hereby authorized and empowered to create a public fluid or such stock. The said Mayor, Aldermen and Commonatty of each or any city of this state be and are hereby authorized and empowered within the first shall determine the own, condition and terms of such stock. The said wayor, Aldermen and Commonatty of the said stock shall not one and the

same at the maturity thereof.

Sac. 6 —The stock to be created by this act and money raised thereon shall be applied solely and only to the raised thereon shall be applied solely and only to the erection and completion of a rapid transit road or roads specified in this act and for the expenses incident thereby, and for no other purpose whatever.

SEC. 7.—The said Board of Aldermen may fix and determine the salaries to be paid to said Commissioners per annum, and the same small be paid said Commissioners by the Comptroller or other financial agent of the said city.

SEC. 3.—The Mayor. Aldermen and Commonalty of cach or any city of this state are hereby authorized and

sec. 3.—The Mayor. Aldermen and Commonalty of cach or any city of this state are hereby authorized and empowered to grant to any corporation, association of individual the right and power to lay, construct and operate a rapid transit road or roads upon, over of under any of the streets or avenues of such city, within the limits of such city, upon such terms and conditions as such city shall see hi, provided that the consent of the owners of one-half in value of the property bounded on the street of hix away upon which the same shad be constructed and operated be obtained, and in case the consent of such property owners cannot be obtained, the General term of the Supreme Court in the district in which it is proposed shall, upon application, appoint there commissioners, who shall determine, after a hearing of all parties interested, whether such rapid transit road or roads orgat to be constructed or operated, and their determination, confirmed by the Court, shall be taken in lied of the consent of sad property owners.

Sec. 2.—All acts and parts of acts inconsistent with this act are hereby repealed.

A PAINFUL ACCIDENT TO EX-GOV-

ERNOR SEYMOUR.

[From the Utica Herald, Feb. 23.] Quite a paintul accident occurred to ex-Governor Seymour at his residence in Marcy ou Saturday evening. A servant leit a pitcher containing acid or a strong solution of sulphate of copper, for use in a galvanic battery, upon the staircase. When Governor Seymour retired to his room he took the pitcher with him, supposing the contents to be water. A portion of the solution spattered on his fingers, but it was not noticed. After putting to pitcher down, the Governor rubbed both of his pitcher down, the Governor rubbed both of his eyes with his finger, and the poisonous solution soon caused great pain. The use of glycerine as a soothing remedy was suggested, and an application was made at once. Contrary to expectation when the giveerine was applied to the irritated portion of the eyes it increased the intensity of the pain a hondred-fold. A messenger was despatched immediately for Dr. Edwin dutch as on, who spent the high at it to Governor's house. When the doctor arrived he found Governor's house, when the doctor arrived he found Governor sevenour suffering considerable pain and unable to open his eyes. Soothing remedies were applied at once and with good effect. Yesterday we were informed that all danger of permaneut follary was past and that Governor seymour was almost entirely relieved from the pain and anxiety caused by the accident.

CORONERS' CASES.

Coroner Eickhoff yesterday held an inquest in the case of Alexander Ruole, the German butcher. late of No. 231 East Fifty-lourth street, whose death was the result of injuries received on the evening of the 14th inst. by accidentally railing from the rear platform of car No. 2 of the cross town line, corner of Second avenue and Eighth street. At first the matter was shrouded in considerable mystery; out through the perseverance of Captain Mount, of the Nineteenth precinct, the presence of two witnesses who saw deceased fan from the car was secured, whose testimony snowed most conclusively that the occurrence was

anowed most conclusively has accidental.

Eugene Monagnan, a conductor, forty-five years of age, and born in Ireland, who lived in 130th street, near Eighth avenue, died on Monday from the effects of injuries received on the 10th inst. by failing on the rocks while engaged in superfatenting biasting operations in that neighborhood. Mr. Monagnan sustained a fracture of the base of the saluli. Coroner Eighborhow was notified to hold

ne s..uh. Coroner Elekhoff was notified to hold an inquest over the remains. Coroner Woltman yesterday held an inquest at